



GARY R. HERBERT
Governor

GREGORY S. BELL
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

Outgoing
S007 0038

August 11, 2010

CERTIFIED RETURN RECEIPT
7005 0390 0000 7507 4511

Velina Miller
Quality Building Stone
933 West 14730 South
Bluffdale, Utah 84065

Re: Withdrawal of Notice of Intention to Commence Small Mining Operations and Order to Reclaim, Quality Building Stone, Italian Tan Quarry, S/007/0038, Carbon County, Utah

Dear Ms. Miller:

Pursuant to UCA 40-8-16(b) and R647-3-111.1.11, effective immediately, the approval of your Notice of Intention to Conduct Small Mining Operations (NOI) for the Italian Tan Quarry, S/007/0038 is withdrawn. You no longer have authority to conduct mining related activities or removal of product from the site.

The Division is taking this action at this time, since you have failed to provide the required reclamation surety for this site or to amend the NOI as discussed in the Division's letter of August 6, 2009.

In February and March 2010, the Division attempted to inspect the site for potential release of the surety. Reports for those inspections were inconclusive as to whether the surety could be reduced, but another inspection was performed July 19, 2010, in which it was determined that grading and revegetation are incomplete. It appears that little if any regrading or revegetation work has been done.

As per UCA 40-8-16(3) and R647-3-111.1.11, you have a right to appeal this action and request a formal hearing on the matter. To do so, you must file a written request to appeal no later than August 30, 2010. Contact Julie Carter, Administrative Secretary, at (801) 538-5277, if you wish to exercise your right to appeal this decision before the Board of Oil, Gas and Mining. She can provide you with appropriate guidance and assistance in preparing your formal hearing request. Your failure to file such a request may preclude you from further participation, appeal, or judicial review with regard to this action. If you choose not to appeal, the Division's decision will become final.

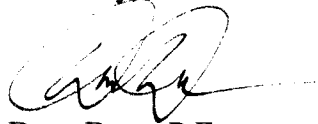
Velina Miller
Page 2 of 2
S/023/0038
August 11, 2010

The Division requires that you complete reclamation of the site by September 30, 2010. Upon completion of the earthwork the Division would be able to release a portion of the reclamation surety.

The Division is aware that the surface owner is Utah Railway. The Division recommends that prior to reclamation, representatives of Quality Building Stone, Utah Railway, and the Division conduct an on site meeting to ensure grading is done to meet all parties' needs.

If you have any questions regarding this letter, you may contact me at 801-538-5320, or Paul Baker at 801-538-5261.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dana Dean', is written over a horizontal line.

Dana Dean, P.E.
Associate Director, Mining

DD:whw:pb
Enclosure: Inspection report
cc: Steve Alder, Attorney General's Office
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Inspection Report Minerals Regulatory Program August 11, 2010

Reviewed: 

Mine Name: Italian Tan
Operator Name: Quality Building Stone

Permit number: S/007/0038
Inspection Date: July 19, 2010
Time: About 3:00-3:15 PM

Inspector(s): Paul Baker and John Rogers
Other Participants: None
Mine Status: Inactive

Weather: Clear, 90s

Elements of Inspection	Evaluated	Comment	Enforcement
1. Permits, Revisions, Transfer, Bonds, Permit Fees	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Public Safety (shafts, adits, trash, signs, highwalls)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Protection of Drainages / Erosion Control	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Deleterious Material	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Roads (maintenance, surfacing, dust control, safety)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Concurrent Reclamation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Backfilling/Grading (trenches, pits, roads, highwalls, shafts, drill holes)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Soils	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Revegetation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Purpose of Inspection:

The Division had inspected this site earlier in the season when there was still snow on the ground, but it was impossible to make a thorough assessment of how much reclamation had been completed. I wanted to see how much vegetation was established and whether the grading was adequate.

Inspection Summary:

1. Permits, Revisions, Transfer, Bonds, Permit Fees

The Division holds a reclamation surety in the form of a letter of credit and in the amount of \$12,500.00. Permit fees are current through 2009 and may have been paid for 2010. The database has not been updated.

7. Backfilling/Grading (trenches, pits, roads, highwalls, shafts, drill holes)

At the request of the land owner, Utah Railway, the operator received approval to leave a road to the top of the hill. However, there are other areas that need to be regraded as shown in the photos included with this report.

9. Revegetation

Most of the vegetation in the disturbed areas consists of weeds, but there are a few perennials.

Conclusions and Recommendations:

I recommend that the operator grade the site and seed it. The Division should not release any of the reclamation surety.

Inspector's Signature

[Handwritten Signature]

PBB

cc: Velina Miller, Quality Building Stone

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Photo 1. Most of the vegetation in the disturbed areas is weeds.



Photo 3. This is a road that switches back up to the top of the hill.



Photo 2. This disturbed area has not been graded, is not an access road, and the vegetation is weeds. It is steep enough that there are some erosion problems.



Photo 4. This is another area that was not graded and is not a road.